

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

RICK HARRISON, JOHN BUCKLEY III,
MARGARET LOPEZ, ANDY LOPEZ,
KEITH LORENSEN, LISA LORENSEN,
EDWARDS LOVE, ROBERT MCTUREOUS,
DAVID MORALES, GINA MORRIS,
MARTIN SONGER, JR., SHELLY SONGER,
JEREMY STEWARD, KESHA STIDHAM,
AARON TONEY, ERIC WILLIAMS, CARL
WINGATE, AND TRACY SMITH, as Personal
Representative of the Estate of Rubin Smith,

Plaintiffs,

vs.

THE REPUBLIC OF SUDAN,

Defendant,

vs.

BNP PARIBAS,

Respondent.

Case No. 1:13-cv-03127 (AT)

**UNOPPOSED MOTION FOR ORDER
AMENDING TURNOVER ORDER
AGAINST BNP PARIBAS**

**REDACTED PURSUANT TO
PROTECTIVE ORDER**

Plaintiffs, Rick Harrison, John Buckley III, Margaret Lopez, Andy Lopez, Keith Lorensen, Lisa Lorensen, Edwards Love, Robert McTureous, David Morales, Gina Morris, Martin Songer, Jr., Shelly Songer, Jeremy Steward, Kesha Stidham, Aaron Toney, Eric Williams, Carl Wingate, and Tracy Smith, as Personal Representative of the Estate of Rubin Smith (“Plaintiffs” or “Petitioners”), move this Court for entry of an Amended Turnover Order Against BNP Paribas and, in support, state:

1. On November 4, 2013, this Court entered a Turnover Order Against BNP Paribas, ordering BNP Paribas to turn over certain Blocked Assets. (Doc. No. 11.)
2. Following entry of the Order, counsel for Petitioners served the Order on BNP

Paribas. BNP Paribas checked their account records and found the account values listed in the Order were off by [REDACTED]. Petitioners agreed to submit a motion requesting that the Court amend the Turnover Order to correct the account values.

3. BNP Paribas also requested that the Court discharge BNP Paribas from liability in connection with the turnover of the Blocked Assets, and specifically identified the plaintiffs in an action against Sudan and Iran pending in the District Court for the District of Columbia. *See Owens v. Republic of Sudan*, 1:01-cv-02244-JDB (D.D.C.). Petitioners do not oppose the inclusion of language in the Court Order discharging BNP Paribas from liability in connection with the turnover, provided that BNP Paribas notifies the plaintiffs in the *Owens* case of the Court Order.

4. A proposed Amended Turnover Order Against BNP Paribas is attached hereto as Exhibit "A." The proposed Amended Order includes the correct account values which reduces the total amount of the turnover by [REDACTED]. The language regarding discharge and notice to the *Owens* plaintiffs is contained in paragraphs 11 and 12 of the proposed Amended Order.

WHEREFORE, Petitioners respectfully request that the Court enter the proposed Amended Turnover Order Against BNP Paribas, attached hereto as Exhibit A.

Dated: November 12, 2013

s/ Edward H. Rosenthal
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Attorneys for Plaintiffs/Petitioners

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the forgoing was filed electronically on the Court's ECF System and delivered via U.S. mail on this 12th day of November, 2013 to:

Republic of Sudan
Ali Ahmed Karti
Minister of Foreign Affairs
Embassy of the Republic of Sudan
2210 Massachusetts Avenue NW
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/s/ Edward H. Rosenthal